

REMARKS/ARGUMENTS

Amendments to Claims

Applicants have canceled claims 1-8 and added new claims 28-36 to more particularly point out one embodiment of the invention. The new claims are supported by the canceled claims as well as page 9 line 22 through page 10 line 15 of the specification and Figures 6A, 6B, 7A, and 7B. Applicants have also amended claim 9 based on the same portion of the specification. Claims 14-16 have been amended to make the terminology of these claims consistent with the amendments made to claim 9.

To more particularly point out one embodiment of the invention, Applicants have amended claim 17 to include a valve screen surrounding at least a portion of the valve, an upper screen located above the valve surrounding at least a portion of the length of the base pipe, a lower screen located below the valve surrounding at least a portion of the base pipe, a volume defined between the valve screen and the base pipe into which fluids that have flowed through any screen may flow, and the valve being effective to provide controllable communication between the volume and the interior of the base pipe. This amendment is supported by the specification on page 8 lines 21 through 26, page 9, lines 14-21, and Figures 1, 6A, 6B, 7A, and 7B. Claims 18, 23, and 24 have been amended to make them consistent with the amendments made to claim 17.

Claim Objections

In Paragraph 1 of the Office Action, Examiner objects to claims 17-21 and 23-27 because the expression "the valve" has no antecedent basis. Applicants have amended claim 17 to provide antecedent basis for the expression "the valve." Claims 18-21 and 23-27 depend from claim 17. Applicants respectfully

request that the objection to claims 17-21 and 23-27 be withdrawn and the claims formally allowed at this time.

Claim Rejections under 35 U.S.C. §103

I. Claims 9, 10, 14, 15, 17, 19, 21, and 23

In Paragraph 3 of the Office Action, Examiner rejects claims 9, 10, 14, 15, 17, 19, 21, and 23 under 35 U.S.C. §103(a) as being unpatentable over US Patent 6,505,682 to Brockman (hereafter Brockman) in view of US 2004/0134655 (hereafter Richards). Applicants traverse the rejection of these claims because the references fail to disclose all limitations of the claimed invention.

Claim 9

Regarding claim 9, Examiner has failed to provide a prima facie basis for rejection under 35 U.S.C. § 103(a) because the references do not disclose all the limitations of the claimed invention.

MPEP §2143.03 states:

To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art.

Applicants respectfully submit that the references do not disclose providing an upper screen, a lower screen, and a valve screen *wherein the diameter the valve screen is greater than the diameter of the upper screen and the lower screen*. Brockman and Richards each disclose using a single screen of a single consistent diameter. See Brockman Figures 2 and 10; see Richards Figures 10-12. Neither reference teaches or suggests using more than one screen of varying diameters; therefore this limitation is not disclosed.

Claim 17

Regarding claim 17, Examiner has failed to provide a prima facie basis for rejection under 35 U.S.C. § 103(a) because the references do not disclose all the limitations of the claimed invention. Applicants respectfully submit that the references do not disclose:

- A. a valve screen, an upper screen, and a lower screen;
- B. a volume between the valve screen and the base pipe into which fluids that have flowed through any screen section may flow; and
- C. the valve being effective to provide controllable communication between the volume and the interior of the base pipe.

The failure of the references to disclose the upper screen and lower screen listed item A is describing in the preceding section with respect to claim 9. Applicants respectfully submit that the references also fail to disclose a valve screen and a volume between the valve screen and the base pipe into which fluids that have flowed through any screen section may flow.

Because the references fail to disclose all the limitations of the claimed invention, Applicants assert that the claims 9 and 17 are allowable. Claims 10, 14, 15, 19, 21 and 23 depend from one of these allowable claims and merely add additional elements. Therefore Applicants respectfully request that the rejection of claims 9, 10, 14, 15, 17, 19, 21, and 23 under 35 U.S.C. §103(a) be withdrawn and the claims formally allowed at this time.

II. Claims 11-13, 15, 16, 18, 20 and 24-27

In Paragraphs 4 through 8 of the Office Action, Examiner rejects claims 11-13, 15, 16, 18, 20 and 24-27 under 35 U.S.C. §103(a) as being unpatentable over Brockman in view of Richards as applied to the claims in section I and further in view of various other references. As argued in section I,

Examiner has failed to provide a prima facie basis for rejection under 35 U.S.C. § 103(a) for claims 9, and 17. Claims 11-13, 15, 16, 18, 20 and 24-27 each depend from one of allowable claims 9 or 17 and merely add additional elements. Thus, Applicants respectfully request that the rejection of claims 11-13, 15, 16, 18, 20 and 24-27 under 35 U.S.C. §103(a) be withdrawn and the claims formally allowed at this time.

Conclusion

Applicants have addressed each and every objection and ground for rejection. The amended claims are patentable over the cited art and Applicants request that the application be allowed. In the event the Examiner has any questions or there are any issues with respect to the application, the Examiner is invited to call the undersigned at the telephone number below prior to the issuance of any written action.

Respectfully submitted,
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